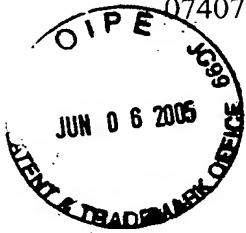


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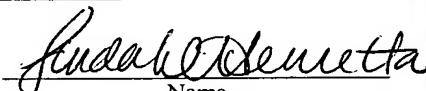
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter Cripps, et al.
U.S. Patent Serial No.: 10/082,351
Filing Date: February 26, 2002
Examiner: Freshten N. Aghdam
Group No.: 2631
Confirmation No.: 9717
Title: **Smart Antenna Based Spectrum
Multiplexing Using a Pilot Signal**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 2, 2005.


Name

6/2/05
Date of Signature

**REQUEST FOR CONSIDERATION OF INFORMATION
DISCLOSURE STATEMENTS TIMELY FILED**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Freshten N. Aghdam, for confirmation that the references listed on the PTO-1449 forms attached to the Information Disclosure Statements filed on the following dates have been considered:

April 24, 2002
September 24, 2002
May 17, 2005

On the dates listed in the first paragraph on page 1 of this document, Applicants filed Information Disclosure Statements (IDS) with PTO-1449 forms attached, listing the

DAL01:854297.1

references submitted for consideration. Copies of the cited references were also included. The Information Disclosure Statements were received at the U.S. Patent and Trademark Office on the dates listed in the first paragraph on page 1 of this document as shown on the returned, date-stamped postcards, copies of which are attached. For the convenience of the Examiner, copies of the Information Disclosure Statements and the cited references filed on the dates listed in the first paragraph on page 1 of this document are enclosed.

An Office Action for this application was mailed on May 17, 2005. However, Examiner Freshten N. Aghdam has not returned copies of the PTO-1449 forms indicating consideration of the references cited in the Information Disclosure Statements filed on the dates listed in the first paragraph on page 1 of this document listed.

Accordingly, **Applicants hereby request confirmation of consideration of the previously filed Information Disclosure Statements.** Examiner Freshten N. Aghdam is requested to initial the references listed on the PTO-1449 forms to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTT S L.L.P.
Attorneys for Applicants



Keiko Ichiye
Reg. No. 45,460

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6494

Enclosures: Copies of Information Disclosure Statements filed on dates listed in the first paragraph on page 1 of this document with PTO-1449 forms and copies of the cited references;
Copies of acknowledgment post cards showing date stamps of dates listed in the first paragraph on page 1 of this document



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter Cripps, et al.
Serial No.: 10/082,351
Filing Date: February 26, 2002
Group Art Unit: 2631
Examiner: Unknown
Title: SMART ANTENNA BASED SPECTRUM MULTIPLEXING
USING A PILOT SIGNAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING
BY EXPRESS MAIL

I hereby certify that this communication is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Willie Jiles

Willie Jiles

Date: May 17, 2005.

Exp. Mail Receipt No. EV 733632477 US

EV733632477US

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. No representation is made that a search has been made, that these references are material to the patentability of the present application, or that these references qualify as prior art.

REMARKS

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. § 1.97(b) before the issuance of a first Office Action and, therefore, no fee is believed to be

ATTORNEY DOCKET NO.:
074078.0107

PATENT APPLICATION
10/082,351

2

due. If, however, a fee is due, the Commissioner is hereby authorized to charge such fee to
Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

Baker Botts L.L.P.
Attorneys for Applicants

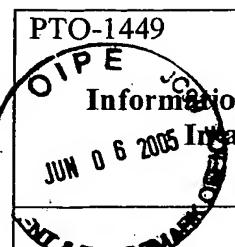


Keiko Ichiye
Reg. No. 45,460

Date: May 17, 2005

Correspondence Address:

Customer No. 05073

 PTO-1449 Information Disclosure Citation INIAN Application	Application No. 10/082,351		Applicant(s) Peter Cripps, et al.	
	Docket Number 074078.0107	Group Art Unit 2631		Filing Date February 26, 2002

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
A	5,832,387	11/03/1998	Bae et al.	455	522	12/29/1995
B	6,351,499 B1	02/26/2002	Paulraj et al.	375	267	12/15/1999
C	6,369,758 B1	04/09/2002	Zhang	342	383	11/01/2000
D	2002/0145968 A1	10/10/2002	Zhang et al.	370	206	02/28/2001
E						
F						
G						
H						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
I	EP 1 204 217 A1	05/08/2002	EP	H04B	7/005	X	
J							
K							
L							
M							

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)		DATE
N			
O			
P			
Q			
R			

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE

Attorney Docket No. MAGN002/01US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A PILOT SIGNAL

Commissioner for Patents
 Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE
 STATEMENT TRANSMITTAL**

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
 - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
 - a statement as specified in 37 C.F.R. §1.97(e).
- In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- Check No. ___ in the amount of \$___ for the total fee is attached.
- A return receipt postcard is also enclosed.
- Please charge \$___ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

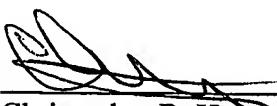
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: September 24, 2002

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5601
Tel: (703) 456-8000
Fax: (703) 456-8100

By:

Respectfully submitted,
COOLEY GODWARD LLP


Christopher R. Hutter
Reg. No. 41,087

147629 v1/RE
35WT011.DOC

Attorney Docket No. MAGN002/01US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: **SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A PILOT SIGNAL**

Commissioner for Patents
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ____ to which the above-identified application claims priority under 35 U.S.C. §120.
- Publication(s) listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to PCT/US02/05650 mailed on August 5, 2002.
- Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) ___. English language publication ____ (copy enclosed) claims priority from this non-English publication.

- Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. ____.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: September 24, 2002

Respectfully submitted,
COOLEY GODWARD LLP

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5601
Tel: (703) 456-8000
Fax: (703) 456-8100

By:



Christopher R. Hutter
Reg. No. 41,087

Please type a plus sign (+) inside this

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PTO/SB/08A (08-00)

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/082,351
				Filing Date	February 26, 2002
				First Named Inventor	Peter CRIPPS
				Group Art Unit	2631
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	MAGN002/01US

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.



Attorney Docket No. MAGN002/01US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A PILOT SIGNAL

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
 - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
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- A return receipt postcard is also enclosed.
- Please charge \$___ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: April 24, 2002

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5601
Tel: (703) 456-8000
Fax: (703) 456-8100

By:

Respectfully submitted,
COOLEY GODWARD LLP



Christopher R. Hutter
Reg. No. 41,087

Attorney Docket No. MAGN002/01US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A PILOT SIGNAL

Commissioner for Patents
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ____ to which the above-identified application claims priority under 35 U.S.C. §120.
- Publication(s) ____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to ____ application serial no. ____ and mailed on ____.
- Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.

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- within three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

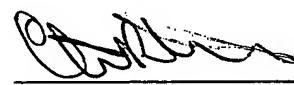
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: April 24, 2002

Respectfully submitted,
COOLEY GODWARD LLP

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
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Reston, VA 20190-5601
Tel: (703) 456-8000
Fax: (703) 456-8100

By:


Christopher R. Hutter
Reg. No. 41,087

Substitute for form 1449A/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/082,351
		Filing Date	February 26, 2002
		First Named Inventor	Peter CRIPPS et al.
		Group Art Unit	2631
		Examiner Name	Unassigned
Sheet		of	
			Attorney Docket Number
			MAGN002/01US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
1	2002/0021683	A1		Holtzman et al.	02-21-2002
2	2002/0008672	A1		Gothard et al.	01-24-2002
3	2001/0022557	A1		Rouphael et al.	09-20-2001
4	2001/0020915	A1		Proctor, Jr.	09-13-2001
5	2001/0005685	A1		Nishimori et al.	06-28-2001
6	6,349,218	B1		Nakagawa et al.	02-19-2002
7	6,317,587	B1		Tiedemann, Jr. et al.	11-13-2001
8	6,307,506	B1		Despain	10-23-2001
9	6,304,215	B1		Proctor, Jr. et al.	10-16-2001
10	6,266,528	B1		Farzaneh	07-24-2001
11	6,259,683	B1		Sekine et al.	07-10-2001
12	6,236,839	B1		Gu et al.	05-22-2001
13	6,167,039			Karlsson et al.	12-26-2000
14	6,137,840			Tiedemann, Jr. et al.	10-24-2000
15	5,771,022			Vaughan et al.	06-23-1998
16	5,577,265			Wheatley, III	11-19-1996
17	5,109,390			Gilhousen et al.	04-28-1992

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁶ Applicant is to place a check mark here if English language Translation is attached.